

**Maine Revised Statutes**  
**Title 10: COMMERCE AND TRADE**  
**Chapter 1051: UNIFORM ELECTRONIC TRANSACTION ACT**

**§9402. DEFINITIONS**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [1999, c. 762, §2 (NEW).]

**1. Agreement.** "Agreement" means the bargain of the parties in fact, as found in their language or inferred from other circumstances and from rules, regulations and procedures given the effect of agreements under laws otherwise applicable to a particular transaction.

[ 1999, c. 762, §2 (NEW) . ]

**2. Automated transaction.** "Automated transaction" means a transaction conducted or performed, in whole or in part, by electronic means or electronic records in which the acts or records of one or both parties are not reviewed by an individual in the ordinary course of forming a contract, performing under an existing contract or fulfilling an obligation required by the transaction.

[ 1999, c. 762, §2 (NEW) . ]

**3. Computer program.** "Computer program" means a set of statements or instructions to be used directly or indirectly in an information processing system in order to bring about a certain result.

[ 1999, c. 762, §2 (NEW) . ]

**4. Contract.** "Contract" means the total legal obligation resulting from the parties' agreement as affected by this chapter and other applicable law.

[ 1999, c. 762, §2 (NEW) . ]

**5. Electronic.** "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic or similar capabilities.

[ 1999, c. 762, §2 (NEW) . ]

**6. Electronic agent.** "Electronic agent" means a computer program or an electronic or other automated means used independently to initiate an action or respond to electronic records or performances, in whole or in part, without review or action by an individual.

[ 1999, c. 762, §2 (NEW) . ]

**7. Electronic record.** "Electronic record" means a record created, generated, sent, communicated, received or stored by electronic means.

[ 1999, c. 762, §2 (NEW) . ]

**8. Electronic signature.** "Electronic signature" means an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

[ 1999, c. 762, §2 (NEW) . ]

**9. Governmental agency.** "Governmental agency" means an executive, legislative or judicial agency, department, board, commission, authority, institution or instrumentality of the Federal Government or of a state or of a county, municipality or other political subdivision of a state.

[ 1999, c. 762, §2 (NEW) .]

**10. Information.** "Information" means data, text, images, sounds, codes, computer programs, software, databases or the like.

[ 1999, c. 762, §2 (NEW) .]

**11. Information processing system.** "Information processing system" means an electronic system for creating, generating, sending, receiving, storing, displaying or processing information.

[ 1999, c. 762, §2 (NEW) .]

**12. Person.** "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation or any other legal or commercial entity.

[ 1999, c. 762, §2 (NEW) .]

**13. Record.** "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

[ 1999, c. 762, §2 (NEW) .]

**14. Security procedure.** "Security procedure" means a procedure employed for the purpose of verifying that an electronic signature, record or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. "Security procedure" includes a procedure that requires the use of algorithms or other codes, identifying words or numbers, encryption or callback or other acknowledgment procedures.

[ 1999, c. 762, §2 (NEW) .]

**15. State.** "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or any territory or insular possession subject to the jurisdiction of the United States. "State" includes an Indian tribe or band or Alaskan native village that is recognized by federal law or formally acknowledged by a state.

[ 1999, c. 762, §2 (NEW) .]

**16. Transaction.** "Transaction" means an action or set of actions occurring between 2 or more persons relating to the conduct of business, commercial or governmental affairs.

[ 1999, c. 762, §2 (NEW) .]

#### SECTION HISTORY

1999, c. 762, §2 (NEW) .

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